



466592

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Civil Action No.: C80-1858

vs.

MOTION TO BRING IN THIRD-PARTY
DEFENDANTS

CHEMICAL RECOVERY SYSTEMS,
INC.,

Defendant.

NOW COMES the Defendant, Chemical Recovery Systems, Inc. by and through its attorneys, Murphy, Burns & McInerney, P.C. and moves for leave as, Third-Party Plaintiff, to cause to be served upon, Harshaw Chemical Company, Russell W. Obitts, and Dorothy Obitts summonses and Third-Party Complaints, copies of which are hereto attached as Exhibit "A" for the following reasons:

1. Counsel for both parties have stipulated to the addition of Harshaw Chemical Company, Russell W. Obitts, and Dorothy Obitts as Third-Party Defendants in this matter, see attached Exhibit "B".
2. Information recently obtained by proposed Third-Party Plaintiff indicates that the proposed Third-Party Defendants may be wholly or partially liable to the proposed Third-Party Plaintiff for the damages alleged by Plaintiff in its Complaint; see attached Exhibit "C".

3. In the absence of the Third-Party Defendants, complete relief cannot be accorded among the present parties to this action. See Federal Rules of Civil Procedure, Rule 19.

WHEREFORE, Defendant prays this Honorable Court issue an

Order permitting the addition of Hawshaw Chemical Company, Russell W. Obitts and Dorothy Obitts as Third-Party Defendants in this matter.

Dated: March 5, 1981 MURPHY, BURNS & MCINERNEY, P.C.

BY: 

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